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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/579,677	05/26/2000	John Edmund Ahern	GB9-2000-0076-US1	3625

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EXAMINER

ANYA, CHARLES E

ART UNIT PAPER NUMBER

2194

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/19/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

09/579,677

Applicant(s)

AHERN ET AL.

Examiner

Charles E. Anya

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10/10/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1-17 are pending in this application.
2. The final office action of 3/22/06 is hereby withdrawn.

***Claim Rejections - 35 USC § 101***

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. **Claims 6-10 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.**

Claims 6-10 are directed to command interface and computer system, and are software per se. The command interface or computer system is neither a process, a machine, a manufacture nor a composition of matter. In contrast, a claimed computer-readable storage medium encoded with the command interface or computer system is a computer element with defined structural and functional interrelationships between the command interface or computer system and the rest of the computer which permit the command interface or computer system's functionality to be realized, and is thus statutory. Accordingly, appropriate correction or amendment is required.

***Claim Rejections - 35 USC § 103***

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5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**6. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,529,932 B1 to Dadiomov et al. in view of U.S. Pat. No. 5,956,710 to Yarom.**

7. As to claim 1, Dadiomov teaches a method for simplifying control of a group of computer programs within a group of cooperating communication managers, which access computer system resources held in computer system memory (“...local resource manager...” message queue...” Col. 1 Ln. 57 – 67, Col. 2 Ln. 1 – 7, figures 2/6 (MQ Managers) Col. 4 Ln. 51 – 67, Col. 5 Ln. 1 – 58, Col. 10 Ln. 30 – 67), the method including the steps of: providing connection services to each computer program within the group of computer programs (Ack. Queue 132, Status Queue 112/182, Queue 78, Trans Queue 162, Non-Trans Queue 164, Foreign Queue 172) to enable access to a shared access memory that is accessible to each of the group of cooperating communication managers (“...connector computer...” Col. 2 Ln. 8 – 21, “...routes...” Col. 7 Ln. 31 – 54, figure 6 Col. 10 Ln. 31 – 67); providing a set of command target qualifiers specifically identifying at least one of the group of cooperating communication managers to which a command should be targeted (Message ID 122 Col. 7 Ln. 55 – 64,

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“...message...” Col. 10 Ln. 36 – 44), wherein the set of command target qualifiers includes at least one command target qualifier indicating that a command should be targeted to members of the group of cooperating communication managers (“...sending application can send multiple request messages to different receivers at one time...” Col. 4 Ln. 43 – 50, figure 6 “...message...” Col. 10 Ln. 36 – 67).

Dadiomov is silent with respect to providing a set of scope definitions of the command for association with respective computer system resources, which are used by the at least one of the group cooperating communication managers for processing data to determine the scope of access and change rights for the computer system resources and for determining whether computer system resources should be stored in said shared access memory, and for identifying computer system resources to which a command is to be applied by reference to their associated scope definitions.

Yarom teaches providing a set of scope definitions of the command for association with respective computer system resources, which are used by the at least one of the group cooperating communication managers for processing data to determine the scope of access and change rights for the computer system resources and for determining whether computer system resources should be stored in said shared access memory, and for identifying computer system resources to which a command is to be applied by reference to their associated scope definitions (“...query...” Col. 5 Ln. 23 – 35, Col. 5 Ln. 66 – 67, Col. 6 Ln. 12 – 36, Ln. 54 – 59, Col. 7 Ln. 32 – 35).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Dadiomov with the teaching of Yarom because the teaching of Yarom would improve the system of Dadiomov by determining whether a user application has sufficient authority or privileges to execute a particular system calls to either read or write data (Yarom Col. 6 Ln. 12 – 22).

8. As to claim 2, Yarom teaches a method according to claim 1 wherein respective ones of said set of scope definitions are associated with respective computer system resources in response to setting of a scope parameter during a computer system resource creation operation (“...holds...” Col. 6 Ln. 17 – 22).

9. As to claim 3, Yarom teaches a method according to claim 1, wherein said set of scope definitions include a shared scope option for association with respective computer system resource, said shared scope definition determining that the respective computer system resource should be stored in said shared access memory and should be accessible to all cooperating communication managers in said group (Col. 6 Ln. 56 – 59, Col. 7 Ln. 32 – 35).

10. As to claim 4, Yarom teaches a method according to claim 3, further comprising saving a computer system resource to said shared access memory in response to specifying a shared scope during creation of the computer system resource (Col. 6 Ln. 56 – 59, Col. 7 Ln. 32 – 35).

11. As to claim 5, Yarom teaches a method according to claim 1, wherein said set of scope definitions include a group scope option for association with respective computer system resources, said group scope option determining that the respective computer system resources should be stored in said shared access memory (Col. 6 Ln. 12 – 22, Col. 6 Ln. 56 – 59, Col. 7 Ln. 32 – 35).

Dadimov teaches that copies of said respective computer system resources should be created and stored in local storage of each cooperating communication manager in said group of cooperating communication managers (Step 208 "...stores..." Col. 6 Ln. 62 – 64, Col. 11 Ln. 1 – 5).

12. As to claim 6, Dadiomov teaches a command interface providing a set of commands having the following parameters: a command target qualifier, wherein particular parameters values of the command target qualifier determine which communication managers of the group of cooperating communication managers to which the command should be targeted ("...sending application can send multiple request messages to different receivers at one time..." Col. 4 Ln. 43 – 50, Message ID 122 Col. 7 Ln. 55 – 64, "...message..." Col. 10 Ln. 36 – 44) and a scope definition, wherein particular parameter values of the scope definition are associatable with respective computer system resources (Col. 6 Ln. 12 – 22) and wherein a parameter value of the scope definition determines which of the respective computer system

resources the command should be applied to by reference to their associated command target qualifier parameter values (Col. 7 Ln. 32 – 35). Also see the rejection of claim 1.

13. As to claim 7, Dadiomov teaches a command interface according to claim 6, wherein the set of commands includes a define command for defining a new computer system resource, wherein a scope definition parameter value specified in said define command is associated with said computer system resource in response to issuing the command and wherein the scope definition parameter value determines the scope of access and change rights for the computer system resource and determines whether the computer system resource should be stored in a shared access memory which is accessible by all cooperating communication managers in said group or should be stored in unshared local memory of an individual cooperating communication manager indicated by said command target qualifier (Col. 6 Ln. 12 – 22, Col. 7 Ln: 32 – 35).

14. As to claim 8, Dadiomov teaches a command interface according to claim 6, wherein said command target qualifier has at least a first specifiable parameter value, indicating that a command should be applied to all members of the group of cooperating communication manager (“...sending application can send multiple request messages to different receivers at one time...” Col. 4 Ln. 43 – 50, Message ID 122 Col. 7 Ln. 55 – 64, “...message...” Col. 10 Ln. 36 – 44) and a second specifiable parameter value indicating that a command should be targeted of an individual cooperating communication manager of the group of cooperating communication managers



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("...sending application can send multiple request messages to different receivers at one time..." Col. 4 Ln. 43 – 50, Message ID 122 Col. 7 Ln. 55 – 64, "...message..." Col. 10 Ln. 36 – 44, Col. 12 Ln. 10 -18).

15. As to claims 9 and 11, see the rejection of claim 6.

16. As to claim 10, see the rejection of claims 1,3,6 and 7 above.

17. As to claim 12, see the rejection of claims 1 and 2 above.

18. As to claim 13, see the rejection of claim 7.

19. As to claim 14, Dadiomov teaches the method of claim 1, wherein the cooperating communication managers are queue managers ("...local resource manager..." Col. 1 Ln. 57 – 67, Col. 2 Ln. 1 – 7, figure 2 Col. 4 Ln. 57 – 67, Col. 5 Ln. 4 – 19, figure 6 MQ Manager).

20. As to claim 15, Dadiomov teaches the command interface of claim 9, wherein the cooperating communication managers are queue managers, and wherein the at least one computer program is a queue ("...local resource manager...MQ..." Col. 1 Ln. 57 – 67, Col. 2 Ln. 1 – 7, figure 2 Col. 4 Ln. 57 – 67, Col. 5 Ln. 4 – 19, figure 6 MQ Manager).

21. As to claims 16 and 17, see the rejection of claim 15 above.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 5,706,516 to Chang et Al.: directed to system and method for communicating messages among agent processes.

U.S. Pat. No. 5,617,570 to Russell et al.: directed to a method and apparatus for executing client operation requests on server resources.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E. Anya whose telephone number is (571) 272-3757. The examiner can normally be reached on M-F (8:30-6:00) First Friday off.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, An Meng-Ai can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Charles E Anya  
Examiner  
Art Unit 2194

cea.

  
THOMSON  
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JUN 2009